

ORIGINAL

OPEN MEETING AGENDA ITEM



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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

SUSAN BITTER-SMITH- Chairman
BOB STUMP
BOB BURNS
DOUG LITTLE
TOM FORESE

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IN THE MATTER OF THE APPLICATION OF
ARIZONA WATER COMPANY, AN ARIZONA
CORPORATION, FOR A DETERMINATION OF
THE FAIR VALUE OF ITS UTILITY PLANT
AND PROPERTY AND FOR ADJUSTMENTS
TO ITS RATES AND CHARGES FOR UTILITY
SERVICE FURNISHED BY ITS NORTHERN
GROUP AND FOR CERTAIN RELATED
APPROVALS.


DOCKET NO. W-01445A-12-0348

**NOTICE OF ERRATA CORRECTING
STAFF PROPOSED ORDER STAYING
DECISION NO. 74081**

On September 17, 2015, Staff filed a proposed order that would stay the operation of the SIB mechanism approved by Decision No. 74081 (September 23, 2013) pending the outcome of further litigation. Staff has been made aware of various typographical errors in the proposed order that incorrectly reference Decision No. 73928 rather than 73938. The incorrect references to Decision No. 73928 occur in Finding of Fact 1. Staff hereby provides, as an errata, a revised Staff proposed order that corrects the references to Commission orders.

It is noted that the attached proposed order is not an order of the Commission. Exceptions to the proposed order may be filed in the docket by September 28, 2015.

RESPECTFULLY SUBMITTED this 24th day of September, 2015.


Wesley C. Van Cleve
Charles H. Hains
Matthew Laudone
Legal Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007
(602) 542-3402

Arizona Corporation Commission
DOCKETED

SEP 24 2015

DOCKETED BY	BAU
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1 Original and thirteen (13) copies of the
2 foregoing were filed this 24th day of
September, 2015, with:

3 Docket Control
4 Arizona Corporation Commission
5 1200 West Washington Street
Phoenix, Arizona 85007

6 Copies of the foregoing were emailed/
7 and/or mailed this 24th day of September,
2015, to:

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9 Arizona Water Company
10 P.O. Box 29006
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15 1110 West Washington Street, Suite 220
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16
17 Roseann Osorio

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

SUSAN BITTER SMITH - CHAIRMAN
BOB STUMP
BOB BURNS
DOUG LITTLE
TOM FORESE

IN THE MATTER OF THE APPLICATION
OF ARIZONA WATER COMPANY, AN
ARIZONA CORPORATION, FOR A
DETERMINATION OF THE FAIR VALUE
OF ITS UTILITY PLANT AND PROPERTY
AND FOR ADJUSTMENTS TO ITS RATES
AND CHARGES FOR UTILITY SERVICE
FURNISHED BY ITS NORTHERN GROUP
AND FOR CERTAIN RELATED
APPROVALS.

DOCKET NO. W-01445A-12-0348

DECISION NO. _____

Open Meeting
October 20, 2015
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. On September 23, 2013, the Arizona Corporation Commission ("Commission") issued Decision No. 74081. Among other things, Decision No. 74081 approved Arizona Water Company ("Company") to implement a system improvement benefits mechanism ("SIB") identical to one approved for the Company in Decision No. 73938 (June 27, 2013). On August 18, 2015, the Arizona Court of Appeals issued an opinion in Case No. 1 CA-CC 13-0002 which set aside the Commission's approval of the SIB mechanism approved in Decision No. 73938.

2. In light of the Court's ruling, and in balancing the interests that are implicated in this matter, the Commission finds it is reasonable and in the public interest to stay operation of the SIB mechanism approved for the Company by Decision No. 74081 pending the outcome of further court proceedings.

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CONCLUSIONS OF LAW

1. Arizona Water Company is a public service corporation within the meaning of Article XV of the Arizona Constitution.

2. The Commission has jurisdiction over Arizona Water Company, and the subject matter of this filing.

3. It is in the public interest to stay the operation of the System Improvement Benefits Mechanism approved by Decision No. 74081 pending the outcome of further court proceedings and until further order of the Commission.

ORDER

IT IS THEREFORE ORDERED that the System Improvement Benefit Mechanism approved by Decision No. 74081, is hereby stayed until further order of the Commission.

IT IS FURTHER ORDERED that all compliance requirements specifically associated with operation of the System Improvement Benefits Mechanism are stayed until further order of the Commission.

IT IS FURTHER ORDERED that all other aspects of Decision No. 74081 shall remain in effect.

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IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION

CHAIRMAN

COMMISSIONER

COMMISSIONER

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I, JODI JERICH, Executive Director of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this _____ day of _____, 2015.

JODI JERICH
EXECUTIVE DIRECTOR

DISSENT: _____

DISSENT: _____

1 SERVICE LIST FOR: Arizona Water Company
2 DOCKET NO. W-01445A-12-0348

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